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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,386	11/15/2001	Joe Nathan Brown	AUS920010875US1	7328

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EXAMINER

NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 08/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/998,386

Applicant(s)

BROWN ET AL.

Examiner

Maikhanh Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-10,12,14-21,23,25-32,34,36-43 and 45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-10,12,14-21,23,25-32,34,36-43 and 45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the communications: Amendment filed 06/02/2005 to the original application filed 11/15/2001.
2. Claims 1, 3-10, 12, 14-21, 23, 25-32, 34, 36-43, and 45 are currently pending in this application. Claims 2, 11, 13, 22, 24, 33, 35, and 44 have been canceled. Claim 45 has been added. Claims 1, 12, 23, and 45 are independent claims.

Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
4. Claims 1, 4-8, 12, 15-19, 23, 26-30, 34, and 37-41 remain rejected under 35 U.S.C. 102(b) as being anticipated by **Nielsen** (U.S. 6,021,435 – issued 02/2000).

As to independent claim 1:

Nielsen teaches a method of making links a displayed Web document by a user to be clearly recognizable comprising the steps of:

- (i) displaying the Web document (*retrieves a web page ... and displays it; col.4, lines 34-48*); and

- (ii) upon user command (*the user selects a particular text link anchor with mouse 44; col.3, lines 43-44*), highlighting the links (*all of the link anchor 202 are shown as underlined text; col.3, lines 46-47*).

As to dependent claim 4:

Nielsen teaches displaying the links in a different color (*displaying it in a special color different from the default text color; col.4, lines 40-42*).

As to dependent claim 5:

Nielsen teaches displaying the links using a larger font (*Fig.3*).

As to dependent claim 6:

Nielsen teaches displaying the links using a different font (*Fig.3*).

As to dependent claim 7:

Nielsen teaches emboldening the links (*the link anchors are depicted in a blue type; col.3, lines 46-49*).

As to dependent claim 8:

Nielsen teaches enlarging the font used to display the links including the links target area (*Fig.3*).

As to independent claim 12:

It is directed to a computer program product for implementing the method of claim 1, is similarly rejected under the same rationale.

As to dependent claims 15-19:

They include the same limitations as in claims 4-8, and are similarly rejected under the same rationale.

As to independent claim 23:

It is directed to an apparatus for performing the method of claim 1, and is similarly rejected under the same rationale.

As to dependent claims 26-30:

They include the same limitations as in claims 4-8, and are similarly rejected under the same rationale.

As to independent claim 34:

- a. It is directed to a computer system for performing the method of claim 1, and is similarly rejected under the same rationale. Additionally, claim 33 further recites "memory device and processor".
- b. Nielsen teaches memory device (*a system memory 16; col.2, lines 63-64 and Fig.1A*) and processor (*a central processor 14; col.2, line 64 and Fig.1A*).

As to dependent claims 37-41:

They include the same limitations as in claims 4-8, and are similarly rejected under the same rationale.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention

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dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 3, 14, 25, and 36 remain rejected under 35 U.S.C. 103(a) as being unpatentable over **Nielsen** in view of **DeStefano** (U.S. 6,184, 885 – field 03/1998).

As to dependent claims 3, 14, 25, and 36:

- a. Nielsen does not explicitly teach “having the link flash.”
- b. DeStefano teaches having the link flash (*col.24, lines 19-28*).
- c. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature from DeStefano in the system of Nielsen because it would have provided the capability for visually distinguish highlighting information from unhighlighted information.

7. Claims 9-10, 20-21, 31-32, 42-43, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nielsen** in view of **Himmel et al.** (U.S. 6,211,874 – field 05/1998).

As to dependent claim 9:

- a. Nielsen does not teach “highlighting the links include the step of duplicating the links and displaying the duplicated links in a different area.”
- b. Himmel teaches duplicating the links and displaying the duplicated links in a different area (*col.3, lines 40-64*).

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- c. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature from Himmel in the system of Nielsen because it would have provided the capability for concurrently downloading pages associated with the plurality of embedded links.

As to dependent claim 10:

- a. Nielsen does teach when a link is selected, its corresponding link in the web document flashes or is emboldened or is displayed in a different color or is displayed using a different font or a larger font (*Fig.3; col.3, lines 46-51/ and col.4, lines 37-42*). However, Nielsen does not explicitly teach “a duplicated link”.
- b. Refer to discussion of claim 9 above for rejection of “a duplicated link”.

As to dependent claims 20-21, 31-32, and 42-43:

They include the same limitations as in claims 9-10; and are similarly rejected under the same rationale.

As to independent claim 45:

- a. The rejection of independent claim 1 is incorporated herein in full. Additionally, Nielsen further teaches a browser (*WWW browser; col.3, lines 41-42*).
- b. Nielsen, however, does not explicitly teach:
 - (i) asserting an icon in the browser, the icon being able to toggle on to highlight the links and to toggle off to de-highlight the links; and

- (ii) enlarging the plurality of links and the target areas upon user command to highlighting the plurality of the links, the user command including toggling on the icon.
- c. Himmel teaches:
 - (i) asserting an icon in the browser(*the user first clicks on button 116; col.7, lines 56-57 and figs. 5A-5D*), the icon being able to toggle on to highlight the links (*the links have been selected; col.7, lines 57-59*) and to toggle off to de-highlight the links (*Selected URLs could be de-selected; col.8, lines 1-3*); and
 - (ii) enlarging the plurality of links and the target areas upon user command to highlighting the plurality of the links (*selection of multiple links ... such as by opening separate browser windows for each of the links so selected; col.6, line 54-67 /When the user then hits the "Enter" key, three new windows 114a, 114b and 114c appear ...these windows can also operate in full-sized "maximized" mode; col.7, lines 17-37*), the user command including toggling on the icon (*a special keystroke ...to initiate the multi-link selection mode; col.7, lines 46-65*).
- d. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature from Himmel in the system of Nielsen because it would have provided the capability for accessing computer files, such as WWW pages, which allowed multiple links to be selected.

Response to Arguments

8. Applicant's arguments filed 06/02/2005 have been fully considered but they are not persuasive.

Applicant argues that *Nielsen does not teach, show or suggest highlighting links that are not easily identifiable in a displayed Web document upon user command*. (Remarks, page 11)

In response to applicant's arguments, the recitation "*highlighting links that are not easily identifiable in a displayed Web document upon user command*" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Examiner believes that the cited references do teach the newly added claim as shown through the mapping provided in the claim rejections.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bates et al. U.S. Patent No. 6,456,307 Issued: Sep. 24, 2002

Wynn et al. U.S. Patent No. 6,493,000 Issued: Dec. 10, 2002

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136.

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The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MN

William S. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
8/15/2005